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TO RUEHC/SECSTATE WASHDC 4328  
INFO RUEHHM/AMCONSUL HO CHI MINH 2381  
RUEHZS/ASEAN REGIONAL FORUM COLLECTIVE

UNCLAS HANOI 000080

SIPDIS

SENSITIVE  
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E.O. 12958: N/A

TAGS: PREL PGOV PHUM HUMANR VM

SUBJECT: UNCERTAINTY OVER DECREE 31 REPEAL

REF: 06 HANOI 3018

¶11. (SBU) On December 14, 2006, the National Assembly Standing Committee (NASC) passed a resolution supporting the repeal of the GVN's Decree 31 (reftel). Specifically, the resolution called on the GVN to cease using administrative detention (in which security officials can summarily detain citizens without due process). However, there has been no official announcement of a repeal to date.

¶12. (SBU) Following up with Ministry of Justice contacts, we were told that the repeal requires further Standing Committee action. Contrary to this, on January 12, the Deputy Director of the Supreme People's Court-affiliated Judicial Science Institute, Ngo Cuong, told Pol Assistant that last year's NASC resolution in effect repealed Decree 31 and needs no further action. Further confusing the picture, Office of the National Assembly Vice Chairman Nguyen Sy Dzung told us that the NASC resolution was only a call for the GVN to develop a proposal on how the decree should be repealed, meaning that the decree technically remains in force.

¶13. (SBU) Comment: It remains unclear whether Decree 31 has in fact been abolished. We will continue to seek clarity from our contacts in the GVN, National Assembly and judiciary. Most interlocutors agree that abolition of the decree is in process if not final. End Comment.

MARINE